

ORIGINAL



BEFORE THE ARIZONA CORPORATION COMMISSION

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Chairman
WILLIAM A. MUNDELL
Commissioner
MARC SPITZER
Commissioner
MIKE GLEASON
Commissioner
KRISTIN K. MAYES
Commissioner

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Arizona Corporation Commission
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IN THE MATTER OF THE APPLICATION) DOCKET NO. W-01157A-05-0706
OF WEST END WATER COMPANY FOR)
EXTENSION OF EXISTING CERTIFICATE) **NOTICE OF FILING OF**
OF CONVENIENCE AND NECESSITY) **REQUEST FOR SERVICE**
) **AND WILL SERVE LETTER**
)

Pursuant to the Administrative Law Judge's direction given at the close of the evidentiary hearing in this matter, the City of Surprise ("Surprise" or "the City") hereby submits this Notice of Filing of Request for Service from Woodside Homes. *See* May 22, 2006 Hearing Transcript at 313:14-315:19 (ordering "an update from the developer or owner of the land regarding the status of the request for service"); May 24, 2006 Hearing Transcript at 333:15-18 (ordering "an update . . . regarding the status of the request for service"). Also attached as Exhibit B to this Notice is the "will serve" letter issued by the City of Surprise in response to this request for service.

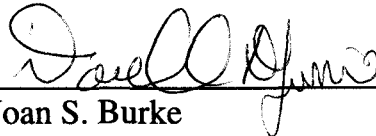
In response to a Letter of Insufficiency from Staff, West End Water Company, provided a "request for service" letter dated March 3, 2005, from Wittman 510, LLC. Wittman 510, LLC is the former developer for the requested extension area. After

testimony calling into question the continuing validity of this request for service, the Administrative Law Judge ordered the applicant to provide an update on the status of the service request and provided that the City should have an opportunity to respond to any update by the West End Water Company. (*See id.*)

The City recently received from Woodside Homes, the home builder that will be developing the property, a request for service for the requested extension area. *See* Exhibit A. The City has responded with a “will serve” letter for the requested extension area. *See* Exhibit B.

Dated this 18th day of July, 2006.

OSBORN MALEDON, P.A.

By 
Joan S. Burke
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Attorneys for the City of Surprise

Original and thirteen (13) copies of
the foregoing were filed this 18th day of
July, 2006, with:

Docket Control
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

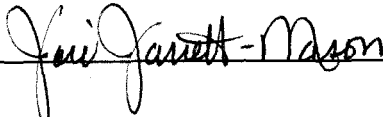
Copies of the foregoing e-mailed
and mailed this 18th day of July, 2006, to:

J. Scott Rhodes, Esq.
Jennings, Strouss & Salmon, PLC
201 East Washington Street, 11th Floor
Phoenix, AZ 85004-2385

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Administrative Law Judge
Hearing Division
Arizona Corporation Commission
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Phoenix, Arizona 85007

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EARL, CURLEY & LAGARDE, P.C.
ATTORNEYS AT LAW

Telephone (602) 265-0094
Fax (602) 265-2195

3101 North Central Avenue
Suite 1000
Phoenix, Arizona 85012

July 14, 2006

ATTN: Rich Williams
City of Surprise Water Services Department
12425 W. Bell Road, Suite C-305
Surprise, Arizona 85374

RE: Maricopa County DMP2004001 (Walden Ranch)

Dear Rich:

On behalf of our client, Woodside Walden, LLC, we are requesting two "will serve" letters from the City of Surprise for the above referenced Development Master Plan (DMP) currently being processed through the Maricopa County Planning and Development Department.

The first letter we are requesting is for City sewer service for the entire Walden Ranch development. The second letter we are requesting is for City water service for the un-certificated southern 1/3 of the project area, currently the subject of the pending Arizona Corporation Commission (ACC) proceedings to expand West End Water Company's CC&N.

Please send both to my attention. If you have any questions or require additional information, please do not hesitate to contact me at (602) 265-0094.

Sincerely,



Michael J. Curley

MJC/ss

cc: Gene Morrison, Woodside Homes

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WATER SERVICES DEPARTMENT
12425 West Bell Road, Suite D-100
Surprise, Arizona 85374
Office: (623) 875-4290
Fax: (623) 583-2892
Web Site: www.surpriseaz.com

July 17, 2006

Mr. Michael J. Curley
Earl, Curley & Lagarde, P.C.
3101 North Central Avenue, Suite 1000
Phoenix, AZ. 85012

Re: Water Will Serve Letter for the southern 1/3 portion of Walden Ranch Development

Dear Mr. Curley:

This letter responds to your letter dated July 14, 2006, on behalf of Woodside Homes, requesting water service for the southern 1/3 portion of the Walden Ranch development. The southern 1/3 portion of the Walden Ranch development is more specifically described as that property found at T5N R3W, NW 1/4 Sec. of Section 25, bounded by Dixeleta Drive on the north, Crozier Road on the west, 215th Avenue alignment on the east and Peak View Road on the south. This property is within the City of Surprise Water Service area. The City agrees to be the water provider for this property and will provide water service to the project once all City requirements and obligations have been satisfied.

Please feel free to contact me if you have any questions at 623-875-4290.

Sincerely,

Rich Williams, Sr.
Water Services Director

RW: tg

cc: Scott Chesney, Development Services Director
Janice See, Development Services
Wes Shonerd, Maricopa County Environmental Services Department
George Riemer, Chief Deputy City Attorney